

LODGED CLERK, U.S. DISTRICT COURT	
1/25/2023	
CENTRAL DISTRICT OF CALIFORNIA	
BY:	VAV DEPUTY

1 E. MARTIN ESTRADA  
United States Attorney  
2 SCOTT M. GARRINGER  
Assistant United States Attorney  
3 Chief, Criminal Division  
ANDREW BROWN (Cal. Bar No. 172009)  
4 Assistant United States Attorney  
Major Frauds Section  
5 1100 United States Courthouse  
312 North Spring Street  
6 Los Angeles, California 90012  
Telephone: (213) 894-0102  
7 Facsimile: (213) 894-6269  
E-mail: andrew.brown@usdoj.gov

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CENTRAL DISTRICT OF CALIFORNIA	
BY:	jm DEPUTY

8 Attorneys for Plaintiff  
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

No. 2:23-mj-00328-DUTY

13 Plaintiff,

GOVERNMENT'S NOTICE OF REQUEST  
FOR DETENTION

14 v.

15 MATTHEW JASON KROTH,  
aka Jason Kroth,  
aka Speedy,

17 Defendant.

19 Plaintiff, United States of America, by and through its counsel  
20 of record, hereby requests detention of defendant and gives notice  
21 of the following material factors:

22 X 1. Temporary 10-day Detention Requested (§ 3142(d)) on the  
23 following grounds:

24 X a. present offense committed while defendant was on  
25 release pending (felony trial), (sentencing),  
26 (appeal), or on (**probation**) (parole); or

1        b. defendant is an alien not lawfully admitted for  
2                      permanent residence; and  
3        X      c. defendant may flee; or  
4        X      d. pose a danger to another or the community.

5        X      2. Pretrial Detention Requested (§ 3142(e)) because no  
6                      condition or combination of conditions will reasonably  
7                      assure:

8        X      a. the appearance of the defendant as required;  
9        X      b. the safety of any other person and the community.

10        3. Detention Requested Pending Supervised Release/Probation  
11                      Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C.  
12                      § 3143(a)):

13              a. defendant cannot establish by clear and convincing  
14                      evidence that he/she will not pose a danger to any  
15                      other person or to the community;  
16              b. defendant cannot establish by clear and convincing  
17                      evidence that he/she will not flee.

18        X      4. Presumptions Applicable to Pretrial Detention (18 U.S.C.  
19                      § 3142(e)):

20        X      a. Title 21 or Maritime Drug Law Enforcement Act  
21                      ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense with  
22                      10-year or greater maximum penalty (presumption of  
23                      danger to community and flight risk);  
24              b. offense under 18 U.S.C. §§ 924(c), 956(a), 2332b, or  
25                      2332b(g)(5)(B) with 10-year or greater maximum  
26                      penalty (presumption of danger to community and  
27                      flight risk);

1       c. offense involving a minor victim under 18 U.S.C.  
2            §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251,  
3            2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4),  
4            2260, 2421, 2422, 2423 or 2425 (presumption of danger  
5            to community and flight risk);  
6       d. defendant currently charged with an offense described  
7            in paragraph 5a - 5e below, AND defendant was  
8            previously convicted of an offense described in  
9            paragraph 5a - 5e below (whether Federal or  
10           State/local), AND that previous offense was committed  
11           while defendant was on release pending trial, AND the  
12           current offense was committed within five years of  
13           conviction or release from prison on the above-  
14           described previous conviction (presumption of danger  
15           to community).

16 X       5. Government Is Entitled to Detention Hearing Under  
17           § 3142(f) If the Case Involves:

18       a. a crime of violence (as defined in 18 U.S.C.  
19            § 3156(a)(4)) or Federal crime of terrorism (as  
20            defined in 18 U.S.C. § 2332b(g)(5)(B)) for which  
21            maximum sentence is 10 years' imprisonment or more;  
22       b. an offense for which maximum sentence is life  
23            imprisonment or death;  
24 X       c. Title 21 or MDLEA offense for which maximum sentence  
25            is 10 years' imprisonment or more;

- 1       d. any felony if defendant has two or more convictions
- 2                  for a crime set forth in a-c above or for an offense
- 3                  under state or local law that would qualify under a,
- 4                  b, or c if federal jurisdiction were present, or a
- 5                  combination of such offenses;
- 6        e. any felony not otherwise a crime of violence that
- 7                  involves a minor victim or the possession or use of a
- 8                  firearm or destructive device (as defined in 18
- 9                  U.S.C. § 921), or any other dangerous weapon, or
- 10                 involves a failure to register under 18 U.S.C.
- 11                 § 2250;

12        X        f. serious risk defendant will flee;

13        X        g. serious risk defendant will (obstruct or attempt to  
14                      obstruct justice) or (threaten, injure, or intimidate  
15                      prospective witness or juror, or attempt to do so).

16 \_\_\_\_\_ 6. Government requests continuance of \_\_\_\_\_ days for  
17 detention hearing under § 3142(f) and based upon the  
18 following reason(s):

23	//
24	//
25	//
26	//
27	//
28	//

1       7. Good cause for continuance in excess of three days exists  
2              in that:

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8       Dated: January 25, 2023

Respectfully submitted,

9              E. MARTIN ESTRADA  
10              United States Attorney

11              SCOTT M. GARRINGER  
12              Assistant United States Attorney  
13              Chief, Criminal Division

14              *Andrew Brown*

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16              ANDREW BROWN  
17              Assistant United States Attorney

18              Attorneys for Plaintiff  
19              UNITED STATES OF AMERICA

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